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October 25, 2024

The Honorable Valerie Figueredo
United States District Court, Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Harrington Global Opportunity Fund v. BofA Securities, et al., No., 1:21-cv-761

Dear Judge Figueredo:

We represent BofA Securities, Inc., and Merrill Lynch Canada, Inc. (collectively, "Merrill"), in the above-referenced matter. Pursuant to the Protective Order (ECF 111), and Your Honor's Individual Practices in Civil Cases Rule I.g, we write to request approval to file Merrill's letter motion to compel Harrington to respond to Merrill's contention interrogatories under seal and publicly file a version with placeholder exhibits.

Merrill has attached as exhibits to its letter motion Harrington's responses and objections to Merrill's contention interrogatories, documents that Harrington has designated as Confidential under the Protective Order. The Protective Order provides that all "copies, reproductions, extracts, digests, and complete or partial summaries prepared from any DESIGNATED MATERIALS shall also be considered DESIGNATED MATERIAL and treated as such under this Order." (ECF 111.) Thus, Merrill seeks to file under seal the letter motion, as well as its exhibits which are copies of documents that Harrington has designated Confidential.

Merrill is publicly filing its letter motion with placeholder exhibits and electronically filing under seal a copy of the letter motion with unredacted exhibits.

The below Appendix lists the parties and their counsel of record who should have access to the sealed document.

MEMO ENDORSED


HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

Dated: 10/28/24

Harrington is directed to make a showing under Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110 (2d Cir. 2006) by **November 18, 2024** in order to permanently seal the documents currently filed under provisional seal at ECF No. 395.

Respectfully,

/s/ Abby F. Rudzin

Abby F. Rudzin
of O'MELVENY & MYERS LLP